

**House File 2185 - Introduced**

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BY BYRNES

**A BILL FOR**

1 An Act relating to third-party commercial driver's license  
2 testers and skills test examiners.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.187, Code 2016, is amended to read  
2 as follows:

3 **321.187 Examiners.**

4 1. The department shall examine applicants for driver's  
5 licenses. ~~Examiners of the department shall wear an~~  
6 ~~identifying badge and uniform provided by the department.~~

7 2. The department may by rule designate community colleges  
8 established under [chapter 260C](#) and other third-party testers to  
9 administer the driving skills test required for a commercial  
10 driver's license, provided that all of the following occur:

11 a. The driving skills test is the same as that which would  
12 otherwise be administered by the state.

13 b. The third-party tester contractually agrees to comply  
14 with the requirements of 49 C.F.R. §383.75 as adopted by rule  
15 by the department.

16 c. Any third-party skills test examiner used by the  
17 third-party tester shall meet the requirements of 49 C.F.R.  
18 §383.75 and 49 C.F.R. §384.228, as adopted by rule by the  
19 department. The department shall adopt rules requiring that a  
20 third-party tester, other than a community college established  
21 under [chapter 260C](#), shall be an Iowa-based motor carrier, or  
22 its subsidiary, that has its principal office place of business  
23 within this state and operates a permanent commercial driver  
24 training or testing facility in this state. The rules may also  
25 provide that a third-party tester conduct a number of skills  
26 test examinations above the number required under 49 C.F.R.  
27 §383.75 in order to remain qualified as a third-party tester  
28 under [this section](#).

29 3. A community college or other third-party tester  
30 authorized to administer driving skills tests pursuant to this  
31 section may charge a fee to a license applicant for the driving  
32 skills test administered to the applicant pursuant to this  
33 section.

34 ~~3-~~ 4. As used in [this section](#), "third-party tester" and  
35 "third-party skills test examiner" mean as defined in 49 C.F.R.

1 §383.5.

2 Sec. 2. REPEAL. 2014 Iowa Acts, chapter 1123, section 23,  
3 is repealed.

4 EXPLANATION

5 The inclusion of this explanation does not constitute agreement with  
6 the explanation's substance by the members of the general assembly.

7 Under Code section 321.187, two types of entities can be  
8 authorized by the department of transportation (DOT) to act as  
9 third-party commercial driver's license testers: community  
10 colleges established under Code chapter 260C and Iowa-based  
11 motor carriers.

12 This bill allows a third-party tester to charge a fee to  
13 a license applicant for the driving skills test administered  
14 by the tester. In addition, the bill strikes a provision  
15 requiring DOT examiners to wear an identifying badge and  
16 uniform provided by the DOT.

17 When Code section 321.187 was amended in 2014 to authorize  
18 third-party testers, the general assembly included a future  
19 repeal date of July 1, 2019, for the amendments. The bill  
20 repeals that future repeal provision.